

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
REQUEST FOR FILING APPLICATION UNDER 37 C.F.R. 1.53(b)  
WITHOUT FILING A REQUEST FOR EXECUTED INVENTOR'S OATH/DECLARATION

Assistant Commissioner for Patents  
Washington, DC 20231



Atty. Dkt. 2661-22

Date: January 22, 2002

Sir:

This is a request for filing a new PATENT APPLICATION under Rule 53(b) entitled:

**CANCER THERAPY**

without a filing fee and/or without an executed inventor's oath/declaration.

This application is made by the below identified inventor(s). Attached hereto are the following papers:

- ☐ Newly executed Declaration, ☐ Copy of Declaration from prior application, ☒ Abstract  
37 pages of specification and claims (including 28 numbered claims), and  
30 sheets of accompanying drawing/s.  
☐ Record the attached assignment and return to the undersigned.  
☐ Attached is a Power of Attorney.  
☐ Priority is hereby claimed under 35 U.S.C. § 119 based on the following foreign applications:

Application Number	Country	Day/Month/Year Filed
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, respectively, the entire content of which is hereby incorporated by reference in this application..

☐ Certified copy(ies) of foreign application(s) is/are attached.

☐ Certified copy(ies) filed on \_\_\_\_\_ in prior application no. \_\_\_\_\_ filed \_\_\_\_\_

☒ This application claims the benefit of Provisional Application No. 60/262,390, filed January 19, 2001, the entire content of which is hereby incorporated by reference in this application.

Please amend the specification by inserting the following paragraph before the first line: --This application is a ☐ continuation/☐ division/☐ continuation-in-part of Application No. \_\_\_\_\_, filed \_\_\_\_\_, the entire content of which is hereby incorporated by reference in this application.--

☐ Petition filed in prior application to extend its life to insure co-pendency.

The prior application is assigned to \_\_\_\_\_

It is hereby requested that the Examiner consider the art cited in the above parent application(s) by applicant and/or the Examiner for the reasons stated therein. A listing of that art is attached, but pursuant to Rule 98(d) copies are not required.

Applicant claims "small entity" status. ☐ "Small entity" statement attached.

Please enter the attached and/or below preliminary amendment prior to calculation of filing fee:

Inventor:	James D. CRAPO	U.S.A.
	(first) MI (last)	(citizenship)
Residence: (city)	Englewood	(state/country) Colorado
Mailing Address:	4650 S. Forest Street, Englewood, Colorado	
(Zip Code)	80110	

2. Inventor:	Brian J. DAY	U.S.A.
	(first) MI (last)	(citizenship)
Residence: (city)	Englewood	(state/country) Colorado
Mailing Address:	6122 S. Nome Court, Englewood, Colorado	
(Zip Code)	80111	

☒ See attached sheet(s) for additional inventor(s) information!!

Address all future communications to NIXON & VANDERHYE P.C., 1100 North Glebe Road, 8<sup>th</sup> Floor, Arlington, VA 22201.

1100 North Glebe Road, 8<sup>th</sup> Floor  
Arlington, Virginia 22201-4714  
Telephone: (703) 816-4000  
Facsimile: (703) 816-4100  
MJW:tat

NIXON & VANDERHYE P.C.

By Atty: Mary J. Wilson, Reg. No. 32,955

Signature: \_\_\_\_\_

*Mary J. Wilson*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
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10/051367  
01/22/02  
JCE57 U.S. PRO

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☐ Applicant claims "small entity" status. ☐ "Small entity" statement attached.

☐ Please enter the attached and/or below preliminary amendment prior to calculation of filing fee:

3. Inventor: Ines MI BATINIC-HABERLE Yugoslavian  
(first) (last) (citizenship)

Residence: (city) Durham (state/country) North Carolina

Mailing Address: 1 Cotswold Place, Durham, North Carolina

(Zip Code) 27707

4. Inventor: Richard MI GAMMANS U.S.A.  
(first) (last) (citizenship)

Residence: (city) Research Triangle Park (state/country) North Carolina

Mailing Address: c/o Aeolus Pharmaceuticals, Inc., P.O. Box 14287, Research Triangle Park, North Carolina

(Zip Code) 27709

5. Inventor: Zeljko MI VUJASKOVIC Croatian  
(first) (last) (citizenship)

Residence: (city) Durham (state/country) North Carolina

Mailing Address: c/o DUKE UNIVERSITY, Office of Science and Technology, 230 North Building, Research Drive, Durham, North Carolina

(Zip Code) \_\_\_\_\_